REMARKS

Claims 1-37 are pending in this case, all of which stand rejected. Claims 23-37 have been rejected under 35 U.S.C. § 101. Claims 12, 13, 21, 22, 31, and 37 have been rejected under 35 U.S.C. § 112, second paragraph. Claims 1-6, 8, 11, 12, 14-21, 23-25, 27-30, and 32-36 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,347,342 (Marcos). Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Marcos, as modified in a manner proposed by the Examiner. Claims 7, 13, 22, and 37 have been rejected under section 103(a) as being unpatentable over Marcos in view of U.S. Patent No. 6,230,117 (Lymer). Claims 9 and 26 have been rejected under section 103(a) as being unpatentable over Marcos in view of the Tanenbaum NPL reference. Claim 31 has been rejected under section 103(a) as being unpatentable over Marcos in view of the Taylor NPL reference. Claims 30 and 31 have been objected to. Following entry of the amendment, claims 1, 14, 23, 25-29, and 32-36 will have been amended, and claims 12-13, 21-22, 30-31, and 37 will have been canceled.

The Section 101 Rejection

Independent claim 23 has been amended to recite the hardware on which the object recited in that claim executes. Dependent claims 25-30 each recite an additional object, and those claims have been amended to recite that the objects execute on the hardware recited in claim 23. No new matter is introduced by these amendments, which are supported at least by paragraphs 0028 and 0029 of the original specification.

Claims 32-36 have been amended to recite that the medium defined in the claims is a "computer-readable storage medium" (underlining indicating the added language). No new matter is introduced by these amendments, which are supported at least by paragraph 0030 of the original specification.

Claim 37 has been canceled without prejudice.

In view of these amendments, applicants request that the section 101 rejection be withdrawn.

The Section 112, Second Paragraph Rejection

Claims 12, 13, 21, 22, and 37 have been canceled without prejudice, thereby rendering the section 112, second paragraph rejections of these claims moot.

With regard to claim 31 (whose features have been moved to claim 23), applicants request reconsideration of the rejection. None of the capitalized items that appear in this claim are believed to be trademarks or trade names. TCP and SNA describe well-defined protocols, and FMH7 is a specific field used in SNA. In particular, it should be noted that, while SNA (Systems Network Architecture) is a propriety network architecture provided by the IBM Corporation, IBM's web site does not, as of the date of this paper, indicate that either "SNA" or "Systems Network Architecture" is an IBM trademark. See http://www.ibm.com/legal/copytrade.shtml.

The features of claim 31 have been moved to claim 23. Moreover, references to SNA, TCP and the FMH7 field have been added to claims 1, 14, and 32 by amendment. Applicants submit that the section 112, second paragraph rejection should not be applied to these claims.

The Section 102/103 Rejections

All of the independent claims (1, 14, 23, and 32) have been rejected under section 102 as being anticipated by Marcos. The independent claims have all been amended, thereby rendering the rejection of those claims over Marcos as moot.

The independent claims are not identical to each other in either language or scope. However, applicants note that the independent claims each recite features relating to the conversion of the SNA error-handling field into a header that is usable with TCP. As explained in the specification, the error-handling field of the SNA protocol has no meaningful analogue in TCP, and thus this disclosed subject matter provides a mechanism that converts the FMH7 error-handling field of SNA into header information that can be used with TCP. Claims 1, 14, 23, and 32 have been amended to recite features related to this concept.

An example conversion of the FMH7 field of SNA into header information usable with TCP was recited in original claim 31 (and that feature has now been moved to claim 23). Claim 31 was rejected over Marcos in view of the Taylor NPL reference. Taylor describes the FMH7 error field of the SNA protocol, and Marcos – according to the Examiner – describes conversion from one protocol to another. The Examiner admits that Marcos does not describe

the FMH7 field of SNA, or how to convert that field for use in a different protocol, but proposes to derive the FMH7 field from Taylor.

Applicants do not dispute that Taylor shows an FMH7 field used with the SNA protocol. However, neither Marcos or Taylor – or these two references in combination – teach or suggest the conversion of this field into header information that is usable with TCP. Marcos describes, in great detail, how to perform conversions between various different systems, but does not mention the conversion of the FMH7 error information field of SNA into a TCP-usable header. Additionally, Taylor is specifically addressed to "integration" of SNA and TCP/IP, and, while Taylor mentions the FMH7 field, it does not describe the conversion of the FMH7 field as claimed. The fact that Taylor is directed to "integration" of SNA and TCP, and specifically mentions the FMH7 field, but does not describe the claimed conversion of the FMH7 field, demonstrates the claimed technique for converting the FMH7 field into a TCP-usable item is *not* an obvious extension of either Taylor or Marcos.

For these reasons, applicants submit that the independent claims, as amended, define over the applied references, and that the dependent claims are patentable at least by reason of their dependency.

Wrap: No New Matter

Certain amendments are discussed in the sections above that address the section 101 and 112 rejections; for the reasons stated above, those amendments do not constitute new matter.

Additionally, the amendments to the independent claims do not constitute new matter. Claim 23 has been amended to recite the features that had previously been recited in dependent claims 30 and 31. Moreover, the amendments to claims 1, 14, 23, and 32 are supported at least by paragraph 0056 of the original specification.

Wrap: Drawings

The Examiner has not yet acknowledged acceptance of the formal drawings, and is requested to do so in the next Office Action.

Conclusion

      In view of the foregoing, applicants submit that this case is now in condition for

allowance.

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